

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

RICHARD ANYIAM ANYANWU,

Civil No. 05-1083 (RHK/JSM)

Plaintiff,

v.

ORDER

MINN. DEPT. OF HEALTH -
COMMISSIONER (MDH), JOAN FABIAN -
COMMISSIONER (DOC), DR. MARLIK -
HENNEPIN COUNTY JAIL (ADC),

Defendants.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated June 20, 2005. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED:

1. The Report and Recommendation (Doc. No. 4) is **ADOPTED**;
2. Plaintiff's Application to Proceed Without Prepayment of Fees (Doc. No. 2) is **DENIED**;
3. Plaintiff's Motion for Injunction (Doc. No. 3) is **DENIED**;

4. This action is **SUMMARILY DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1);
5. Plaintiff is required to pay the unpaid balance of the Court filing fee, namely the full \$250.00, in accordance with 28 U.S.C. § 1915(b)(2); and
6. For purposes of 28 U.S.C. § 1915(g), this action is dismissed “on the grounds that it is frivolous, malicious, or fails to state a claim on which relief may be granted.”

Dated: July 18, 2005

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge